

Washington State CONSTRUCTION ADVISORY COMMITTEE (CAC)

Meeting Report
September 26, 2012
Doubletree Hotel, Spokane

The mission of the Washington State Construction Advisory Committee is to provide a forum where business, labor, and government identify challenges and develop solutions to Washington's construction workplace health and safety challenges.

Committee Leadership Present:

David Puente, Deputy Assistant Director, DOSH
Kirk Baisch, University Mechanical; Business
Labor-Vacant. (See note below)

DOSH Update: David Puente

Welcome: Anne Soiza, Deputy Assistant Director

Dan McMurdie-Rules Highlights:

- The Governor's rules moratorium is still in effect.
- Compressed Air: We have permission to move forward with developing a rule for compressed atmosphere in the underground environment. There is a subcommittee meeting on a monthly basis with the Department. The subcommittee has promised a draft ready to file within one year.
- Fire Fighting: The public hearings have been completed. The Department will respond to the public comments after the responses from the hearings are compiled. The filing for the adoption of the rule will be held in January 2013.
- Telecommunications: This standard has been placed on hold due to the Governor's moratorium. The committee will hold meetings after the moratorium is lifted.
- Global Harmonization: Our intention is to adopt the rule identical to OSHA and later incorporate the new parts of the rule.
 - Monthly Updates: Alan Lundeen is reviewing the format of information that is posted to stakeholders on directives that are added or deleted to the monthly update. Stakeholders liked the current format.
 - Draft Rules: Stakeholders suggested when the Department produces a draft rule that we add a draft rule watermark, in the footer, and include version and date.

Sub-Committee Update:

Definition of Construction: Steve Heist

- Group has been meeting and accomplished the task of defining the definition of construction. For more information the minutes and handouts for the committee are on the list serve. Please contact Steve Heist at heiu235@Lni.wa.gov with any questions.

Fall Protection: Steve Heist

- Fall Protection pamphlet: This is a draft document and is not the actual pamphlet that will be sent out after the rule is in effect in March 2013. This is being provided as draft but provides information on the upcoming rule. If you have any questions please contact Steve Heist at heiu235@lni.wa.gov.

Scheduling: Dan McMurdie for Terry Walley

The committee has developed a list of employers that are considered to be in need of “help”. The parameters used to develop the list:

- Employers having 25 and fewer employees
- Looking at the three year window, using time loss rate/ or medical rate
- Sorted by the DOSH regions

Those identified on the list would first be contacted by DOSH Consultation and offered their services before being turned over to DOSH Compliance.

Dan McMurdie prepared a rough draft of the initial contact letter and it was provided to the subcommittee for feedback.

The meeting for July 13 was canceled and has not been rescheduled at this time. Please email five possible dates to Terry Walley wate235@Lni.wa.gov for the Scheduling Committee to start meeting again.

CAC Mission Statement:

This committee has been finished and the guidelines are posted on the LNI webpage. DOSH will verify that the document is dated and signed.

Rules Update: Alan Lundeen

- Compressed Atmospheres: In response to petitions for rulemaking and other requests from labor and business industry stakeholders, DOSH has begun to work on rulemaking to update the compressed air work requirements: Labor and Industries has taken nominations for this committee. We want to have the following

on the committee: Business; Labor; and Medical industry. The committee is to make recommendations and communicate with each of their industries.

- Fall Protection for Construction: This is a clear rule writing effort and combines two parts of the construction safety code for clarity and ease of use. In addition, the department intends to clarify current language which has created confusion at worksites with respect to walking-working surfaces on roofs as recommended by a business and labor ad hoc committee. Hearing will be held October 16 in Tumwater and October 17 in Spokane.
- Cranes, Rigging, and Personnel Lifting: The Department filed expedited proposed rules addressing the following issues: extending the date by which the requirement relating to written and practical testing requirements for qualified riggers is effective; the addition of language to be at least as effective as the federal rule; and clarification of the scope of the rule to include the following existing requirements: rigging for all construction activities and personnel lifting with attached or suspended platforms using cranes or derricks . Hearing will be held November 8, and November 13 & 14, 2012. For more information contact Larry Markee at mala235@lni.wa.gov.
- Hazard Communication - Global Harmonization System: OSHA adopted the final rule updating its Hazard Communication Standard into alignment with the Globally Harmonized System of Classification and Labeling of Chemicals (GHS). The deadline for implementation of OSHA's rule is phased in; the effective dates start on December 1, 2013 with full compliance not required until June 6, 2016. OSHA's rule also modified other existing OSHA standards that contain hazard classification and communication provisions, so that they will be internally consistent and aligned with the GHS modifications to the hazard communication standard. The Department is required to update our rules to be as effective as OSHA. It is anticipated that the Department's rulemaking to modify other existing standards to align with the GHS changes as required by OSHA's rule will be done in a subsequent rulemakings.

Open Forum:

- Underground Economy
- Referrals among Specialty Compliance and DOSH
- Misclassification of NAICS codes
- Presentation on Worker Comp Rates-misreporting
- Tri Fold training document for rigging/FAQ
- Sub-committee for Electrical Work exposure

Adjourn

Action Items –

DOSH	Schedule next Scheduling Committee Meeting Presentation on Rates/Risk Class Reporting Sub-committee for Electrical Work Exposure Guidelines for the CAC
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Next CAC Meeting:

Date: December 6, 2012

Location: AGC-1200 Westlake Ave. N, Seattle, WA 98109

2nd Floor West Conference Room

Time: 1:00PM-4:00PM

Washington Construction

<http://www.lni.wa.gov/Safety/Topics/AdvComm/CAC/default.asp>

Attention! If you wish to continue to receive information about the CAC please sign up for the CAC listserv <http://www.lni.wa.gov/Main/Listservs/DOSHCAC.asp>

NOTE: DOSH requested Labor meet and select a Labor Co-Chair representative for this committee. DOSH was informed by labor representatives a decision had not been reached to elect a Labor Co-Chair for this committee. DOSH was also informed by Pacific Northwest Regional Council of Carpenters that Terry Tilton, Community Relations, Pacific Northwest Regional Council of Carpenters had been elected as Labor Co-Chair. Due to conflicting information this matter will be addressed at the next CAC meeting.